California Regional Water Quality Control Board
Santa Ana Region

ORDER NO. 01-44

Amending Order No. 01-3, NPDES No. CA0105350
Waste Discharge and Producer/User Reclamation Requirements
for
The City of Riverside
Riverside Regional Water Quality Control Plant
Riverside County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter, Board), finds that:

1. On January 19, 2001, the Board adopted Order No. 01-3, NPDES No. CA0105350, prescribing Waste Discharge and Producer/User Reclamation Requirements for the City of Riverside Regional Water Quality Control Plant for the discharge of tertiary treated wastewater into Reach 3 of the Santa Ana River.

2. On May 18, 2000, the U.S. Environmental Protection Agency issued a final rule for the establishment of Numeric Criteria for Priority Toxic Pollutants necessary to fulfill the requirements of Section 303(c)(2)(B) of the Clean Water Act for the State of California. This rule is commonly referred to as the California Toxics Rule.

3. On March 2, 2000, the State Water Resources Control Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP or Policy). This Policy includes implementation provisions for the California Toxics Rule.

4. Order No. 01-3 required the City of Riverside (hereinafter, discharger) to conduct effluent and ambient receiving water monitoring as specified in Monitoring and Reporting Program No. 01-3.

5. Monitoring and Reporting Program No. 01-3 requires the discharger to require its testing laboratory analyzing priority pollutants to calibrate the analytical system down to the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences to levels not greater than the minimum levels (MLs)[1] specified in Attachment "B" of the Monitoring and Reporting Program No. 01-3.

[1] *Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.*

6. On February 9, 2001, staff from the State Water Resources Control Board conducted training about MLs. The training clarified that MLs as specified in the SIP are only required when determining compliance with priority pollutant effluent limitations. Compliance with the ML provisions of the SIP is not necessary for pretreatment, sludge, influent, and ambient monitoring.

7. On February 15, 2001, the discharger requested that the Order be amended to revise requirements in Monitoring and Reporting Program No. 01-3 pertaining to minimum levels for quantifying priority pollutant concentrations in the effluent (for constituents without numeric limits) and ambient receiving water monitoring.

8. In accordance with Water Code Section 13389, amending the waste discharge requirements for this discharge is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.

9. The Board has notified the discharger and other interested agencies and persons of its intent to amend waste discharge for the discharge and has provided them with an opportunity to submit their written views and recommendations.

10. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED THAT Order No. 01-3 be amended as follows:

1. Revise Monitoring and Reporting Requirements A.5 of Monitoring and Reporting Program No. 01-3 as follows (Additions/revisions are highlighted and deletions are struck out):

    5. For effluent and ambient receiving water monitoring:

        a. Until July 1, 2001, the discharger shall require its testing laboratory analyzing priority pollutants to quantify each constituent at least down to the Practical Quantitation Levels[1] specified in Attachment "A". Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

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[1] *PQL is the lowest concentration of a substance which can be determined within ± 20 percent of the true concentration by 75 percent of the analytical laboratories tested in a performance evaluation study. Alternatively, if performance data are not available, the PQL is the method detection limit (MDL) x 5 for carcinogens and MDL x 10 for noncarcinogens.*

b. By July 1, 2001, the discharger shall require its testing laboratory ~~analyzing priority pollutants~~ to calibrate the analytical system down to the ~~lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. The lowest quantifiable concentration in a sample determined for a specific analytical method established by the testing laboratory shall not be greater than the~~ minimum levels (MLs)[2] specified in Attachment "B" for priority pollutants with effluent limitations in this Order ~~that specific analytical method~~, unless an alternative minimum level is approved by the Regional Board's Executive Officer. The July 1, 2001 date may be extended by the Executive Officer provided that good cause is demonstrated by the discharger and provided that any such extension is as short as possible. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

c. For receiving water monitoring and for those priority pollutants without effluent limitations, the discharger shall require its testing laboratory to quantify constituent concentrations to the lowest achievable MDL as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999). In situations where the most stringent applicable receiving water objective (freshwater or human health (consumption of organisms only), as specified for that pollutant in 40 CFR 131.38[3]) is below the minimum level value specified in Attachment "B" and the discharger cannot achieve an MDL value for that pollutant below the ML value, the discharger shall submit justification why a lower MDL value cannot be achieved. Justification shall be submitted together with monthly monitoring reports.

d. The discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

1) For monitoring data submitted through July 1, 2001:

(a) Sample results greater than or equal to the PQL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

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2 *Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.*

3 *See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.*

(b) Sample results less than the PQL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.

(c) Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."

2) For monitoring data submitted after July 1, 2001[4]:

(a) Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

(b) Sample results less than the reported ML, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.

(c) Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."

e. The discharger shall submit to the Regional Board reports necessary to determine compliance with effluent limitations for priority pollutants in this Order and shall follow the chemical nomenclature and sequential order of constituents shown in Attachment "C" – Priority Pollutant Lists. The discharger shall report with each sample result:

1) The PQL or ML achieved by the testing laboratory; and
2) The laboratory's current Method Detection Limit (MDL)[5], as determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999).

2. Renumber footnote reference numbers 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Monitoring and Reporting Program No. 01-3, to 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, respectively.

3. All other conditions and provisions of Order No. 01-3 shall remain unchanged.

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4 *If an extension from this date is authorized by the Executive Officer for one or more constituents, then the requirements specified in paragraph A.5.c.1) above, shall apply to that constituent(s) until the extended date specified by the Executive Officer. After that date, the requirements specified in paragraph A.5.c.2) shall apply.*

5 *MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR 136, Appendix B, revised as of May 14, 1999.*

I Gerard J. Thibeault, Executive Officer, do hereby certify that the forgoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 19, 2001.

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Gerard J. Thibeault
Executive Officer